UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

MARLENE JOHANSEN

Plaintiff

Civil Action No. 04-11789-RCL

v.

UNITED STATES OF AMERICA

Defendant

NOTICE OF APPEARANCE

Kindly note the appearance of James Everett, 400 Washington St, Ste. 303, Braintree, MA 02184 as counsel for the Counterclaim Defendant Timothy Burke in the above captioned matter.

/s/ James Everett

James Everett

BBO# 654104

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Dated: January 26, 2005

Certificate of Service

I hereby certify that a true copy of the above document was served upon each attorney of record via first class mail, postage prepaid on January 26, 2005 to the following counsel of record:

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> <u>/s/ James Everett</u> James Everett